

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CARL FRENCH,

1:05-cv-00358-OWW-SMS-P

Plaintiff,

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS** (Doc. 6)

vs.

ORDER DISMISSING ACTION

CAROL A. DAILY, et al.,

Defendants.

Plaintiff Carl French ("plaintiff"), a prisoner housed at the Fresno County Jail, is proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72-302.

On May 24, 2005, the Magistrate Judge filed a Findings and Recommendations herein which was served on plaintiff and which contained notice to plaintiff that any objections to the Findings and Recommendations were to be filed within twenty (20) days. To date, plaintiff has not filed objections thereto.¹

¹ The United States Postal Service returned the order served on plaintiff on June 1, 2005, as undeliverable. A notation on the envelope indicated: Return to Sender -Not in Custody. However, plaintiff has not notified the court of any change in his address. Absent such notice, service at a party's prior address is fully effective. See Local Rule 83-182(f).

1 In accordance with the provisions of 28 U.S.C.
2 § 636(b)(1)(C) and Local Rule 73-305, this Court has conducted a
3 de novo review of this case. Having carefully reviewed the
4 entire file, the Court finds the Findings and Recommendations to
5 be supported by the record and by proper analysis.

6 Accordingly, IT IS HEREBY ORDERED that:

7 1. The Findings and Recommendations, filed May 24, 2005,
8 is ADOPTED in full; and,

9 2. This action is DISMISSED, without prejudice, based on
10 plaintiff's failure to obey the court's order of April 8, 2005.

11
12 IT IS SO ORDERED.

13 **Dated: July 1, 2005**
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/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE